

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 10, 2016.

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JOURNAL OF THE HOUSE.

Thursday, November 10, 2016.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Calter of Kingston) congratulating Paul Joseph Cook on receiving the Eagle Award of the Boy Scouts of America;

Paul
Cook.

Resolutions (filed by Mr. Calter of Kingston) congratulating Joseph M. Parziale on receiving the Eagle Award of the Boy Scouts of America;

Joseph
Parziale.

Resolutions (filed by Mr. Calter of Kingston) congratulating Andrew Thomas Patrick on receiving the Eagle Award of the Boy Scouts of America;

Andrew
Patrick.

Resolutions (filed by Mr. McKenna of Webster and other members of the House) recognizing November 17 as "World Pancreatic Cancer Day" in the Commonwealth;

Pancreatic
Cancer Day.

Resolutions (filed by Mr. Roy of Franklin) congratulating Karlan King Dewitt on receiving the Eagle Award of the Boy Scouts of America;

Karlan
Dewitt.

Resolutions (filed by Mr. Roy of Franklin) congratulating Liam Christopher McGuire on receiving the Eagle Award of the Boy Scouts of America;

Liam
McGuire.

Resolutions (filed by Mr. Roy of Franklin) congratulating David Charles Roche on receiving the Eagle Award of the Boy Scouts of America;

David
Roche.

Resolutions (filed by Mr. Roy of Franklin) congratulating Brendan Timothy Ryan on receiving the Eagle Award of the Boy Scouts of America; and

Brendan
Ryan.

Resolutions (filed by Representatives Whelan of Brewster, Hunt of Sandwich, Vieira of Falmouth, Peake of Provincetown, Mannal of Barnstable and Madden of Nantucket) honoring Edward Merigan on his retirement as Director of the Veterans' Services District Office in the town of Barnstable;

Edward
Merigan.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Walsh of Peabody, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

A communication from the Massachusetts Department of Elementary and Secondary Education (under the provisions of sections 1B, 1J and 1K of Chapter 69

Department of
Elementary and
Secondary

of the General Laws) submitting amendments to 603 CMR 2.00, regulations on accountability and assistance for school districts and schools (House, No. 4727), was referred to the committee on Education. Sent to the Senate for concurrence.

Education,—
regulations.

Communications

From the Montachusett Regional Transportation Authority (see Section 8g of Chapter 161B of the General Laws) submitting financial statements and report of federal assistance programs for fiscal year 2016; and

Montachusett
Regional
Transportation.

From the Nantucket Regional Transit Authority (see Section 8g of Chapter 161B of the General Laws) submitting financial statements and supplementary data for fiscal year 2016;

Nantucket
Regional
Transit.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Cutler of Duxbury, a petition (subject to Joint Rule 12) of Josh S. Cutler and others relative to designating the last Saturday in October as Halloween.

Halloween.

By Mr. Michlewitz of Boston, a petition (subject to Joint Rule 12) of Aaron Michlewitz for legislation to establish a sick leave bank for Dek Lee, an employee of the Executive Office of Health and Human Services.

Dek Lee,—
sick leave.

By Mr. Smola of Warren, a petition (subject to Joint Rule 12) of Todd M. Smola and Anne M. Gobi for legislation to authorize the Three Rivers Fire District to continue the employment of Michael Matthieu.

Three Rivers
Fire District.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill authorizing the town of Spencer to issue certain bonds for terms of 30 years (Senate, No. 2300, amended in section 1, in line 1, by striking out the following: “(1A), (4), (5), (6), (7), and (34)” and inserting in place thereof the following: “and (11)”, in line 3, by striking out the following: “(1A), (4), (5), (6), (7), and (34)” and inserting in place thereof the following: “or (11)”; and by striking out section 2 and inserting in place thereof the following section:

Spencer,—
terms of
bonds.

“SECTION 2. This act shall take effect on November 8, 2016.”) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

The following notice was received from the Clerk of the Senate, to wit:—

November 8, 2016.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Stanley C. Rosenberg,

President of the Senate, has announced the following appointments:

Senator Thomas M. McGee (pursuant to Executive Order number 572) to the AV Working Group;

AV Working Group.

Ms. Lauren Liss (pursuant to Section 29A (I) of Chapter 23G of the General Laws) to the Brownfields Advisory Group;

Brownfields Advisors.

Senator Eileen M. Donoghue (pursuant to Chapter 219 of the Acts of 2016) to the commission relative to the regulation of online gaming, fantasy sports gaming and daily sports; and

Fantasy sports, etc.

Michele Paul, Heriberto Flores of Springfield and City Councilor Penny Ricketts of Greenfield (pursuant to Section 29A(1) of Chapter 23G of the General Laws) of to the Brownfields Advisory Group; and

Brownfields advisors.

That the Honorable Bruce E. Tarr, Senate Minority Leader, has announced the appointments:

Mr. Joseph Sabella (pursuant to Executive Order No. 572) to the special working group on autonomous vehicles;

Autonomous vehicles.

Mr. Kyle Martin (pursuant to Section 136 of Chapter 219 of the Acts of 2016) to the special commission to make an investigation and study relative to the practical, economic, fiscal and health related impacts of the Commonwealth remaining on eastern daylight time;

Eastern daylight time.

Senator Ryan C. Fattman (pursuant to Section 20 of Chapter 121 of the Acts of 2016) to the commission to examine the accessibility of information concerning the legislative process and the definition of public records;

Legislative records,— access.

Senator Richard J. Ross (pursuant to Section 19 of Chapter 121 of the Acts of 2016) of Senator Richard J. Ross to the working group relative to law enforcement;

Law enforcement.

Hirak Shah (pursuant to section 137 of Chapter 219 of the Acts of 2016) of to the special commission relative to the regulation of online gaming, fantasy sports gaming and daily sports;

Fantasy sports, etc.

Senator Donald F. Humason, Jr. (pursuant to Section 7 of Chapter 187 of the Acts of 2016) of to the task force relative to the ride for hire industry;

Uber, etc.

Mr. Lou Cimaglia IV (pursuant to Section 26 of Chapter 141 of the Acts of 2016) of to the Massachusetts Post-Deployment Commission; and

Post-deployment.

Senator Richard J. Ross, his constituent services director, Jessica Katon, representing him when necessary (pursuant to Section 1 of Chapter 226 of the Acts of 2014) of to the Commission on Autism.

Autism commission.

Respectfully submitted,

WILLIAM F. WELCH

Clerk of the Senate.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Dennis A. Rosa for legislation to establish a sick leave bank for Alicia Harmon, an employee of the Massachusetts Rehabilitation Commission. Under suspension of the rules, on motion of Mr. Walsh of Peabody, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Alicia Harmon,— sick leave.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Authorizing the town of Windsor to reinstate Police Chief Thomas J. Barnaby (Senate, No. 2281, amended) [Local Approval Received]; and

Providing for recall elections in the town of Hawley (Senate, No. 2322, amended) [Local Approval Received]; and

House bills

Relative to the recall of elected officials in the town of Norwell (House, No. 4646) [Local Approval Received]; and

Relative to the residential exemption (House, No. 4717);

Under suspension of Rule 7A, in each instance, on the motion of Mr. Walsh of Peabody, the bills were read a second time forthwith; and they were ordered to a third reading.

Thomas J. Barnaby.

Hawley,—
recalls.

Norwell,—
recalls.

Real property
tax exemptions.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the Resolve establishing a special commission to identify a suitable location for a justice complex in Southern Middlesex County (Senate, No. 1626, amended), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Southern
Middlesex
County,—
court facility.

By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the Bill establishing a commission on malnutrition prevention among older adults (Senate, No. 2499, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Older adults,—
malnutrition.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill recommending terms for certain bonds (printed in House, No. 4715). Read; and referred, under Rule 33, to the committee on Ways and Means.

Bonds,—
terms.

Engrossed Bills.

The engrossed Bill validating the results of a certain election in the town of East Longmeadow (see House bill printed in House, No. 4382) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill further regulating the lease of a certain parcel of land in the town of Plymouth (see House, No. 3966) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The House Bill relative to the Deerfield Economic Development Industrial Corporation (House, No. 4596), reported by the committee on Bills in the Third

Third
reading
bill.

Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill eliminating sub-precinct 9A in the town of Andover (Senate, No. 2368) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Andover,—
sub-precinct
nine.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Section 2 of chapter 177 of the acts of 2011 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Notwithstanding any general or special law to the contrary, census block 250092543011034, referred to and known as town of Andover sub-precinct 9A, shall merge with and be incorporated into town of Andover precinct 1.”.

The amendment was adopted; and the bill (Senate, No. 2368, amended) was passed to be engrossed. Sent to the Senate for concurrence in the amendment.

The Senate Bill requiring automated external defibrillators in schools (Senate, No. 2449, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Schools,—
external
defibrillators.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it by striking out section 3 (as previously amended by the House) and inserting in place thereof the following section:

“SECTION 3. Section 1 shall take effect July 1, 2018.”; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to require forthwith automated external defibrillator’s in schools, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (Senate, No. 2449, amended) was passed to be engrossed. Sent to the Senate for concurrence in the amendments.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next
sitting.

At twenty-one minutes after eleven o’clock A.M., on motion of Mr. D’Emilia of Bridgewater (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.